

EXHIBIT 1

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE ABI JAUDI AND AZAR

CIVIL ACTION

TRADING CORP.,

Plaintiff,

v.

CIGNA WORLDWIDE INS. CO., et al.,

Defendants.

NO. 91-6785

**DECLARATION OF DONALD A. VOGELSANG IN SUPPORT OF
NON-PARTY RESPONDENT MARTIN S. KENNEY'S OPPOSITION
TO CIGNA'S RENEWED MOTION TO COMPEL DISCOVERY**

I, Donald A. Vogelsang, declare, based upon my personal knowledge, as follows:

1. I am a principal with the law firm of Grippio & Elden LLC ("G&E") in Chicago, Illinois.
2. G&E represents non-party respondent Martin S. Kenney in this matter.
3. Attached as Exhibit A is a true and correct copy of an email exchange with Richard Bortnick on August 29, 2012.
4. Attached as Exhibit B is a true and correct copy of an email exchange with Richard Bortnick on August 29, 2012.

I declare under penalty of perjury that the foregoing is true and correct. Executed this
13th day of September, 2012, at Chicago, Illinois.

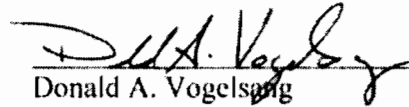

Donald A. Vogelsang

EXHIBIT A

From: Bortnick, Richard <rbortnick@cozen.com>
Sent: Wednesday, August 29, 2012 10:08 AM
To: Vogelsang, Donald A.
Cc: Miller, Gary M.; Sorensen, Colleen P.; 'Donald Hawthorne (dwh@avhlaw.com)'; 'Matthew Hackell (mhackell@debevoise.com)'; 'dfdonovan@debevoise.com'
Subject: RE: AJA v CWW -- Meet and Confer

Do they have phones in Italy?

From: Vogelsang, Donald A. [mailto:DVogelsang@gripppoelden.com]
Sent: Wednesday, August 29, 2012 11:08 AM
To: Bortnick, Richard
Cc: Miller, Gary M.; Sorensen, Colleen P.; 'Donald Hawthorne (dwh@avhlaw.com)'; 'Matthew Hackell (mhackell@debevoise.com)'; 'dfdonovan@debevoise.com'
Subject: RE: AJA v CWW -- Meet and Confer

We are not refusing to meet and confer but we cannot do a meet and confer until we have discussed the matter with Martin who is on vacation with his family in Italy and we will not be able to have a call with him until Tuesday, the day after Labor Day. We do not understand your need to rush and your refusal to grant the courtesy of waiting to do the meet and confer next Wednesday, but if you file a motion you should not represent to the court that we have refused to meet and confer.

Donald A. Vogelsang

Direct Dial: 312.704.7790

dvogelsang@gripppoelden.com

Gripppo & Elden LLC • 111 S. Wacker Drive • Chicago, IL 60606 • Phone 312.704.7700 • Fax 312.558.1195 • www.gripppoelden.com

From: Bortnick, Richard [mailto:rbortnick@cozen.com]
Sent: Wednesday, August 29, 2012 9:33 AM
To: Vogelsang, Donald A.
Cc: Miller, Gary M.; Sorensen, Colleen P.; 'Donald Hawthorne (dwh@avhlaw.com)'; 'Matthew Hackell (mhackell@debevoise.com)'; 'dfdonovan@debevoise.com'
Subject: RE: AJA v CWW -- Meet and Confer

We cannot wait until next week. We need to speak today or tomorrow, as we will be filing a motion if we are unable to reach agreement. If no agreement can be reached, we will advise the Court that you were not able or willing to meet and confer and that Mr. Kenney is not able to communicate with you by phone for whatever reason he may have.

RJB

From: Vogelsang, Donald A. [mailto:DVogelsang@gripppoelden.com]
Sent: Wednesday, August 29, 2012 10:30 AM
To: Bortnick, Richard
Cc: Miller, Gary M.; Sorensen, Colleen P.
Subject: RE: AJA v CWW -- Meet and Confer

I cannot do today. Also, Martin is currently on vacation until next week and unreachable and we need to talk to him before we have a meet and confer. Thus, I suggest we set a time for next Wednesday, a day for which I am open all day.

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From: Bortnick, Richard [<mailto:rbortnick@cozen.com>]

Sent: Tuesday, August 28, 2012 1:57 PM

To: Vogelsang, Donald A.

Cc: 'Gaglio, Nicholas E.O.'; 'Hawthorne, Donald W'; 'Donovan, Donald Francis'; Rosenberg, Ilan; 'Hackell, Matthew'

Subject: AJA v CWW -- Meet and Confer

Dear Mr. Vogelsang:

We request you or one of your colleagues' availability for a meet and confer on the afternoon of Wednesday, August 29 concerning CWW's pending document request and deposition notice previously served on Mr. Kenney

We look forward to hearing back by close of business today.

Richard J. Bortnick, Esquire
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103

215-665-7251 (direct)
610-203-1456 (mobile)
215-701-2351 (fax)

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EXHIBIT B

From: Bortnick, Richard <rbortnick@cozen.com>
Sent: Wednesday, August 29, 2012 10:09 AM
To: Vogelsang, Donald A.
Cc: Miller, Gary M.; Sorensen, Colleen P.; 'Donald Hawthorne (dwh@avhlaw.com)'; 'Matthew Hackell (mhackell@debevoise.com)'; 'dfdonovan@debevoise.com'
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Also, kindly remind Mr. Kenney that we are simply following the script he wrote in the Cayman Islands.

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Cc: Miller, Gary M.; Sorensen, Colleen P.; 'Donald Hawthorne (dwh@avhlaw.com)'; 'Matthew Hackell (mhackell@debevoise.com)'; 'dfdonovan@debevoise.com'
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